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OFFICE OF PETITIONS

In re Application of  
Huang et al.  
Application No. 10/003,553  
Filed: October 24, 2001  
Attorney Docket No. 00680365

ON PETITION

This is a decision on the petition to withdraw the holding of abandonment filed January 2, 2007 under 37 CFR 1.181.

The petition to withdraw the holding of abandonment is GRANTED.

This application became abandoned for failure to timely submit a response to the Office Action mailed May 18, 2005. The Notice set an extendable 3 month period for reply. No extensions of time pursuant to 37 CFR 1.136(a) were obtained. Accordingly, this application was held abandoned on August 19, 2005. A Notice of Abandonment was mailed on November 1, 2006.

Petitioner asserts that the Office Action mailed on May 18, 2005 was never received. Petitioner attest that the Office Action was never received. Petitioner states a search of the file jacket and docket records confirms the Office Action was not received. In support of petitioner's contention, a copy of the file jacket and docket records have been provided.

The Notice of Abandonment is hereby vacated and the holding of abandonment withdrawn.

This application is being forwarded to Art Unit 2618 for re-mailing of the non-final Office Action to the correspondence address of record. The three month time period for reply will be set to run from the mailing date of the new Office Communication